

## Decision Statement

### Project Details

**Project Name** Bradfield City Centre – Stage 2A Enabling Works Review of Environmental Factors (REF)

**Project Location** Bradfield City Centre is located at 215 Badgerys Creek Road, Bradfield and is legally described as Lot 3101 in Deposited Plan (DP) 1282964. The site is a 38 hectare part of the overall 114.9-hectare parcel of land within the Liverpool Council Local Government Area (LGA) and is owned by the WPCA.

**Activity Description**

The Stage 2A Enabling Works covers a site area of approximately 38 hectares of land within the Bradfield City Centre site, and involves delivery of new roads, streetscape works, civil works and public utilities to be delivered in a staged construction scheduled to be completed by 2026.

Specifically, the proposed Activity consists of the following:

- construction of new roads and associated road infrastructure
- site clearing (including removal of vegetation) and associated earthworks
- provision of service authority utilities within the road corridors
- street landscaping
- drainage and stormwater infrastructure (including temporary stormwater basins)
- stockpiling of excess soil
- construction of temporary haul roads during construction.

The Stage 2A Enabling Works will deliver fully serviced development superlots. This work includes bulk earthworks, civil road works, grading and levels for the site, public utilities, open space, and street landscaping. Completion of these works will enable fully serviced super lots to be developed by WPCA or with private sector partners that will contribute to and support the early activation and place making for the Bradfield City Centre.

Division 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) applies to the proposal. A review of environmental factors (REF) has been prepared and considered against the requirements of sections 5.5 and 5.7 of the EP&A Act. This assessment is in accordance with the factors required to be considered under section 171 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation).

In addition, this assessment has considered impacts to threatened species, ecological communities and migratory species listed under the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) (EPBC Act).

Following public display of the REF a submissions report was prepared to address submissions and finalise the proposed environmental safeguards and mitigation measures.

The Western Parkland City Authority has determined that the activity detailed in the Bradfield City Centre - Stage 2A Enabling Works REF and submissions report may proceed for the following reasons:

### 1. Significance of impact on the environment

The proposal described in the REF and submissions report will have some environmental impacts which can be ameliorated satisfactorily. This assessment has considered that these impacts are unlikely to be significant and therefore an environmental impact statement does not need to be prepared, examined and considered under s 5.7 of the EP&A Act, and approval for the proposal does not need to be sought under Division 5.2 of the EP&A Act. Various safeguards and management measures are proposed.

### 2. Significance of impact on NSW-listed biodiversity matters

The REF and submissions report have considered the potential impacts of the proposal on areas of outstanding biodiversity value and on threatened species, ecological communities or their habitats for both terrestrial and aquatic species as defined by the *Biodiversity Conservation Act 2016* (BC Act) and the *Fisheries Management Act 1994* (FM Act).

The area of the proposed Activity is on areas mapped as certified land under the Growth Centres Biodiversity Certification Order.

Therefore, as the proposed Activity is not likely to significantly affect threatened species and is on biodiversity certified land, the following are not required:

1. species impact statement under s 7.8 of the BC Act
2. biodiversity development assessment report under s 7.8 of the BC Act
3. concurrence of the Environment Agency Head under s 7.12 of the BC Act

### 3. Significance of impact on nationally-listed biodiversity matters and matters of national environmental significance

The REF and submissions report have considered the potential impacts of the proposal on threatened species, ecological communities and migratory species as defined in the EPBC Act, as well as matters of national environmental significance and any impacts on the environment of Commonwealth land.


The site benefits from the Sydney Growth Centres Strategic Assessment Program made under section 146B of the EPBC Act which has the same effect as an approval granted to development under Part 9 of the EPBC Act. Therefore, with this approval, any development within the prescribed certified lands does not require separate referral, assessment of approval under the EPBC Act to be taken. As impacts to MNES associated with the Stage 2A Enabling Works are restricted to the prescribed certified lands, no further assessment is required.

In addition, the REF identified a range of environmental outcomes and safeguards as mitigation measures that

would be required to avoid or reduce the environmental impacts. The mitigation measures for the proposal have been updated as outlined in section 9.2 of the REF.

## Determination

Acting as a delegate of the Western Parkland City Authority, and, in accordance with section 5.5 of the *Environmental Planning and Assessment Act 1979*, having examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the proposed Activity, and having regard to the independent REF Assessment Report prepared by Patch Planning Pty Ltd and the Review of Environmental Factors prepared by Urbis Pty Ltd (dated 17 May 2024) on behalf of the Western Parkland City Authority, I hereby determine the Activity may proceed subject to the Mitigation Measures in Section 9.3 of the REF and additional measures listed in Schedule 1 below.

Authorised Person	Anne Skewes
Position	Chief Executive Officer (Acting) <i>The exercise of the Division 5.1 determination has been delegated to the CEO and Band 3 Senior Executives.</i>
Signature	
Date of Determination	27 May 2024

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## Schedule 1 – Additional Mitigation Measures

### **Compliance Reporting**

80. *Within 12 months of the commencement of operation of the development, and in the same month each subsequent year (or as otherwise agreed to in writing by the Western Parkland City Authority), a Compliance Report for the Activity is to be prepared.*

*Each Compliance Report must provide an assessment of the environmental performance of the development over the previous year, and must:*

- a. confirm the status of each of the mitigation measures identified including evidence they have been satisfied, where relevant;*
- b. identify any complaints received over the life of the development including whether there are any evident trends; and*
- c. identify any discrepancies between the predicted and actual impacts of the Activity, and analyse the potential cause of any significant discrepancies.*